

REMARKS

This Amendment is being filed in response to the Final Office Action mailed November 21, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

Claims 1-15 and 17-20 remain in this application, where claim 16 had been canceled without prejudice.

In the Final Office Action, the Examiner objected to claims 2-3 for not clearly reciting how to calculate diffuseness. Applicants respectfully traverse and submit that claims 2-3 are clear and that one skilled in the art, in view of the specification and common knowledge, would know how to calculate diffuseness. For example, the Examiner admits that it is known how to calculate diffuseness by alleging that U.S. Patent No. 5,723,937 (Whitman) anticipates claims 2-3. Accordingly, withdrawal of the objection to claims 2-3 is respectfully requested.

In the Office Action, claims 1-15 and 17-20 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite since claims 1 and 18 do not define the pattern and the function of the pattern does not specify the scope for the structure of the lamp. Applicants respectfully traverse this

rejection and submit that "a pattern configured to increase a diffuseness of the discharge arc," as recited in claims 1 and 18 is definite and a clear structural feature. One skilled in the art would have no trouble recognizing increased diffuseness in response to providing a pattern on the inner vessel or the outer bulb. Further, the specification, figures and dependent claims recite various embodiments, such as the embodiments shown in FIGs 3-7 and recited in claim 8, which specifically recite that "wherein the pattern is formed by at least one of a laser treatment, sandblasting, surface etching, surface slitting and roughening, and is optionally finished by fire polishing."

It is respectfully submitted that one skilled in the art would have no trouble understanding the meaning of a "pattern configured to increase a diffuseness of the discharge arc, wherein the pattern includes shapes which are overlapping along an axis parallel to the at least one of the inner vessel and the outer bulb when viewed from a direction perpendicular to the axis," as recited in claims 1 and 18. Thus, claims 1 and 18 are definite and comply with 35 U.S.C. §112, second paragraph.

Further, claims 1 and 18 recite a specific pattern that includes overlapping shapes. In addition, it is well known that a functional limitation is clear and should be accorded

patentable weight. (See, e.g., *Ex parte* Sherman, 45, USPQ 532, 534 (Pat. Off. Bd. App. 1939):

While the claims contain numerous functional statements, these statements seem to be used for the purpose of clearly defining or differentiating elements which have been positively included in the claims. We see no objection to the use to the functional statement to define an element, even where the element may be set forth by the term "means."

Accordingly, it is respectfully submitted that "pattern configured to increase a diffuseness of the discharge arc, wherein the pattern includes shapes which are overlapping along an axis parallel to the at least one of the inner vessel and the outer bulb when viewed from a direction perpendicular to the axis," as recited in independent claims 1 and 18, is clear and definite, and patentable weight be accorded to such features.

It is respectfully submitted that a bulb having "a pattern configured to increase a diffuseness of the discharge arc, wherein the pattern includes shapes which are overlapping along an axis parallel to the at least one of the inner vessel and the outer bulb when viewed from a direction perpendicular to the axis," which is specifically recited in claims 1 and 18, is clear and definite, thus meeting the requirement of 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of the rejection of claims 1-15 and 17-20 is respectfully requested.

In the Office Action, claims 1-4, 6-8, 11-15 and 17-20 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,723,937 (Whitman). Further, claims 5 and 9-10 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Whitman. It is respectfully submitted that claims 1-15 and 17-20 are patentable Whitman for at least the following reasons.

Whitman is directed to a lamp having a light-scattering coating 26. As specifically recited on column 2, line 46, the light-scattering coating 26 contains light-scattering particles 30. As clearly shown in FIG 1(b), the light-scattering particles 30 are separated from each other along an axis parallel to the envelope 12 and do NOT overlap when viewed from a direction perpendicular to the axis parallel to the envelope 12.

In stark contract, the present invention as recited in independent claims 1 and 18, amongst other patentable elements requires (illustrative emphasis provided):

an outer bulb, wherein at least one of the inner vessel and the outer bulb comprises a pattern configured to increase a diffuseness of the discharge arc, wherein the pattern includes shapes which are overlapping along an axis parallel to the at least one of the inner vessel and the outer bulb when viewed from a direction perpendicular to the axis.

A pattern that includes shapes, which are overlapping

along an axis parallel to the at least one of the inner vessel and the outer bulb when viewed from a direction perpendicular to the axis, is nowhere taught or suggested in Whitman.

Rather, Whitman teaches a light-scattering coating 26 that includes particles 30 that are separated from each other along an axis parallel to the envelope 12 when viewed from a direction perpendicular to the axis. For example, if an axis parallel to the envelope 12 is drawn in FIG 1(b) of Whitman, or if such an axis is taken to be the solid line separating the Whitman envelope 12 from the coating 26, then it is clearly seen from FIG 1(b) that the light scattering particle 30 along this solid line do NOT overlap, but are separated from each other. There is simply no teaching or suggestion in Whitman of a "pattern [that] includes shapes which are overlapping along an axis parallel to the at least one of the inner vessel and the outer bulb," as recited in independent claims 1 and 18.

Accordingly, it is respectfully submitted that independent claims 1 and 18 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-15, 17 and 19-20 should also be allowed at least based on their dependence from independent claims 1 and 18.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by

the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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